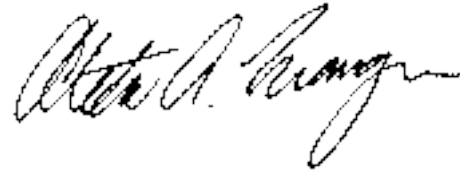


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION



TENNESSEE BANK & TRUST, a wholly  
owned division of FARMERS BANK &  
TRUST COMPANY, an Arkansas state  
bank,

Plaintiff,

v.

MARION EDWIN LOWERY, CYNTHIA  
LOWERY, MARIAN ELIZABETH  
LOWERY SAFFLE, JOHN HARRISON  
LOWERY, WILLIAM HARRISON  
CRABTREE, JR., JIM ENGLAND,  
RICHARD INMAN, TOMMY  
CROCKER, BBC HOLDINGS, INC.,  
BOC OPERATIONS, LLC, PBLF, LLC,  
COMMERCE BANCSHARES, INC.,  
PEOPLES STATE BANK OF  
COMMERCE and OAKLAND  
FINANCIAL SERVICES, INC.,

Defendants.

CASE NO.: 3:11-cv-984

Judge Truager

Magistrate Judge Knowles

**MOTION TO APPEAR BY TELEPHONE**

Plaintiff and Counter-Defendant, Tennessee Bank and Trust, a wholly owned division of Farmers Bank and Trust Company (hereinafter referred to as “Tennessee Bank”), respectfully request that the Court allow their lead counsel, Gary D. Jiles, to appear by telephone at the Initial Case Management Conference scheduled for Monday, January 23, 2012 at 1:00pm. Mr. Jiles resides and bases his law practice in Arkansas, and to eliminate the need for him to incur the time and expense of traveling roundtrip to Nashville for the conference, Tennessee Bank asks that he be allowed to appear telephonically. Tennessee Bank’s local counsel, Heather J. Hubbard, will be present at the conference in person.